



California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair

Fresno Branch Office
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
1685 E Street, Fresno, California 93706
Phone (559) 445-5116 • FAX (559) 445-5910



Arnold Schwarzenegger
Governor

3-1. Central Valley RWQCB

Response:

A-1 Comment noted, see page 4-179 of Section 4.6.4 of the Draft EIR/EA.

A-2 A Storm Water Pollution Prevention Plan (SWPPP) along with the Storm Water Resource Control Board General Construction Permit have been created. Both the Plan and the Permit outline how storm water drainage will affect the proposed area (See Appendix D3 of the Draft EIR/EA). EPNG has also developed a Spill Prevention, Containment and Countermeasure Plan (SPCC) and Contaminated Soils Plan that describes prevention, mitigation and remediation in detail (See Appendices D4 and D9 and page 4-152 of Section 4.5 of the Draft EIR/EA).

A-3 Comment noted, also see Response A-2.

7 December 2004

Sarah Mongano
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

DRAFT ENVIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL ASSESSMENT, EL PASO 1903 PIPELINE CONVERSION PROJECT (SCH #2002101069), KERN COUNTY

Your request for comments on the draft environmental impact report and environmental assessment for the El Paso 1903 Pipeline Conversion Project was received on 24 November 2004. The project consists of the conversion of a 304 mile segment of the former All American Pipeline from Ehrenberg, Arizona to Wheeler Ridge near Bakersfield, California from crude oil to natural gas service. Elements of the project include replacing sections of pipeline, removal and installation of valves, and construction of tie-ins and metering facilities. The pipeline passes through the Central Valley Region (Region 5) in Kern County and also through the Colorado River Basin Region (Region 7) in San Bernardino and Riverside Counties. Region 7 staff should be provided the opportunity to comment on this project as well.

A-1 The final CEQA environmental document (Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration) needs to include a description of all solid and/or liquid wastes that might be generated by the proposed project and how it will be handled, treated, and disposed of. The CEQA environmental document also needs to consider how storm water drainage may be affected by the proposed project. In particular, the final CEQA document should provide details about the special precautions that will be taken to ensure protection of groundwater near construction workspaces.

A-3 If construction associated with the project will disturb one acre or more, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity will be required for potential discharges to surface waters, including ephemeral and intermittent drainages. Before construction begins, the proponent must submit a Notice of Intent to comply with the permit, a site map, and an appropriate fee to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared. The SWPPP must contain at a minimum all items listed in Section A of the General Permit including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, riparian buffers, etc.) best


management practices (BMPs) that will be implemented to prevent pollutants from discharging with storm water into waters of the United States.

A-4 If the project will result in construction dewatering discharges, compliance with the NPDES No. CAG995001, General Order No. 5-00-175 for Dewatering and Other Low Threat Discharges to Surface Waters may be required. Before construction begins, the proponent must submit a NOI to comply with the permit and a filing fee to this Regional Board office. The dewatering General Order is applicable only if the discharge does not contain significant quantities of pollutants, and is less than four months in duration or has an average dry weather flow of less than 0.25 million gallons per day. Otherwise, the proponent must apply for site-specific waste discharge requirements (WDRs). A representative sample of the construction dewatering discharge would need to be collected and analyzed to demonstrate that no constituents of concern are present in quantities that would cause an exceedance of water quality objectives.

A-5 If the project will result in the discharge of dredged or fill material into navigable waters or wetlands (jurisdictional waters), the proponent must obtain a permit pursuant to Section 404 of the Clean Water Act from the US Army Corps of Engineers and a Section 401 Water Quality Certification from this office. The Regional Board will review the Section 401 certification application to ensure that discharges will not violate water quality standards. If the project will result in the discharge of dredged or fill material into wetlands that are determined by the Corps to be non-jurisdictional, the proponent will not be required to obtain a Section 401 Water Quality Certification, but may be required to submit a report of waste discharge (RWD) if the wetlands are waters of the State. The Regional Board will either prescribe waste discharge requirements (WDRs) that will incorporate measures to mitigate potentially significant impacts to water quality and potential public nuisances or issue a waiver of WDRs. For more information regarding Section 404 permitting, contact the Sacramento District of the Corps of Engineers at (916) 557-5250.

A-6 If the project will involve the storage of petroleum products in above ground tanks, with a single tank capacity of greater than 660 gallons or a cumulative capacity of greater than 1,320 gallons, the proponent will be subject to State above ground petroleum tank regulations. The proponent must file a storage statement with the SWRCB, pay a facility fee, and prepare a federal spill prevention control and countermeasure plan.

Thank you for the opportunity to comment on this environmental assessment. If you have any questions regarding our comments, please call Geoffrey Anderson at (559) 445-5919.


W. DALE HARVEY
Senior Engineer
RCE No. 55628

cc: State Clearing House, Sacramento

3-1. Central Valley RWQCB (continued)

A-4 Comment noted, however, no dewatering will be needed; see page 4-152 of Section 4.5.4 of the Draft EIR/EA.

A-5 Comment noted, also see response to Comment C-6 of Comment Set 3.3.

A-6 Comment noted.